

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2 (c)

In the Matter of
Robert C. Nisenson, LLC
10 Auer Court
East Brunswick, New Jersey 08816
Attorney for Debtor
(732) 238-8777
Robert C. Nisenson
RCN 6680

Karen L. Waldorf

Debtor.



Order Filed on November 15, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 19-13417

Judge: CMG

**ORDER TO APPROVE LOAN MODIFICATION AND COMPEL
ERIC WALDORF TO SIGN LOAN MODIFICATION AGREEMENT AND
TO COOPERATE WITH THE LOAN MODIFICATION PROCESS FOR
SECOND MORTGAGE**

The relief set forth on the following pages, is
hereby **ORDERED**.

DATED: November 15, 2019


Honorable Christine M. Gravelle
United States Bankruptcy Judge

ROBERT C. NISENSEN, L.L.C.

10 Auer Court
East Brunswick, NJ 08816
(732) 238-8777
Attorneys for Debtor
Robert C. Nisenson, Esq.
RCN 6680

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In the Matter of	:	Case: 19-13417
	:	Chapter 13
Karen L. Waldorf	:	
	:	
	:	
Debtor.	:	ORDER TO APPROVE LOAN
	:	MODIFICATION AND TO
	:	COOPERATE WITH LOAN
	:	MODIFICATION

This matter having been opened to the Court by Robert C. Nisenson, Esq., of the Law firm of Robert C. Nisenson, L.L.C., attorneys for Debtor, upon application for an Order to Approve the Loan Modification with Wells Fargo Bank N.A. and to Compel Debtor's Husband to sign the loan modification documents or provide a Power of Attorney for her to sign the documents or Cooperate with Loan Modification and the Court having considered all supporting and opposing papers, if any, and good cause appearing for the entry of this Order;

It is on the day of , 2019;

ORDERED the Debtor and Eric Waldorf and Wells Fargo Bank N.A. are authorized to enter into the Loan Modification Agreement and it is further;

ORDERED in the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, Secured Creditor shall amend the arrearage portion

of its proof of claim to zero or withdraw the claim within thirty (30) days of completion of the loan modification; and it is further

ORDERED, that the Chapter 13 Trustee shall suspend disbursements to Secured Creditor pending completion of loan modification and all money that would otherwise to be paid to Secured Creditor, be held until the arrearage portion of the claim is amended to zero or the claim is withdrawn, or the Trustee is notified by the Secured Creditor that the modification was not consummated; and it is further

ORDERED, in the event the modification is not consummated, the Secured Creditor shall notify the Trustee and Debtor's Attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to Secured Creditor; and it is further

ORDERED, in the event the proof of claim is amended to zero or withdrawn, the Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the provisions of the confirmed plan; and it is further

ORDERED, Debtors shall file an amended Schedule J and Modified Plan within twenty (20) days of this Order; and it is further

ORDERED, that the Secured Creditor will reduce their proof of claim within 40 days, otherwise Debtors will have to file a Motion to Reduce the Claim and the creditor will be responsible for Debtor's attorney fees of \$400.00 for the filing of said motion; and it is further

ORDERED that the Debtor's husband, Eric Waldorf, within 7 days of this Order will cooperate with Debtor to sign the Loan Modification Agreement; and it is further

ORDERED that the loan modification be approved for the purposes of both Karen Waldorf and Eric Waldorf's bankruptcy cases Nos: 19-13417 and 17-35770; and it is further

ORDERED that Eric Waldorf's execution of the loan modification does not work a reaffirmation of the underlying debt, or create any additional liability therefore beyond that which already exists; and it is further

ORDERED that Eric Waldorf is compelled to cooperate with the Debtor to sign any necessary forms with the loan modification for her second mortgage with Wells Fargo Bank; however, the Eric Waldorf is not obligated to provide any additional financial information not already provided in connection with his divorce proceeding or his bankruptcy case. It is the intent that Karen Waldorf will be solely responsible for making the mortgage payments; and it is further

ORDERED that a copy of this Order shall be served upon all parties within _____ days of the date hereof.